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| 10/756,123 | 01/12/2004 | Ralf Gutsche | HSJ920030256US1 | 3143 |
| John L. Rogitz Rogitz & Associates Suite 3120 750 B Street San Diego, CA 92101 | | | | |
| EXAMINER | | | | |
| LU, KUEN S | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2167 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 04/29/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/756,123

Applicant(s)

GUTSCHE, RALF

Examiner

KUEN S. LU

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/CB/CIC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. The Action is responsive to Applicant's Amendment filed 1/28/2008. Based on a result of an update search conducted on East database, this action is made non-final to vacate the non-final action of 1/23/2008.
2. Applicant's Arguments/Remarks filed 1/28/2008, have been fully considered but they are moot on new grounds of rejection.
3. Please note claims 1-9 in the application have been examined and, are rejected and remained pending.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

4.1. A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 4.2. Claims 1-9 are rejected under 35 U.S.C. 102(e) as anticipated by Blake et al. (U.S. Patent Application Publication 2004/0103073, filed 11/21/02 and published 5/27/2004, hereafter "Blake").

As per claim 1, Blake teaches "A graphical user interface (GUI) for configuring pipelines, the GUI displayable on a user computer monitor and comprising" (See Fig. 1, [0015], [0016], [0019], [0065] and Abstract where component-based development and web GUI tools are implemented on displayable monitor to support a distributed database management system):

"at least one pipe input set window configured to permit a user to define a type of pipe input set data" (See [0004] where an interface generation tool is supplied to user as input and an option permits user to base on the input set of data for creating a new GUI as an output);

"at least one GUI page based on the type, the GUI page being generated by translating the type using a configuration file to a class and using Java reflection to generate an instance of the class, the instance producing the GUI page" (See Fig. 1, [0011] and [0065] where GUI is generated, based on input definition supplied by interface generation tool and Java reflection is utilized to convert text based instructions into software); and

"using the GUI page to configure a data pipeline" (See Fig. 1, [0015], [0016], [0019], [0065] and Abstract where GUI is generated based on input data as user's need and the GUI further configured to access database).

As per claim 2, Blake teaches "The GUI of claim 1, wherein at least the pipe input set window and GUI page require no programming apart from an initial core code" (See Fig. 1 and [0004] where database server internal functions or packages are used to

derive raw data to support new GUIs during database schema changes, without the need of additional programming effort).

As per claim 3, Blake teaches "The GUI of claim 1, wherein the GUI is an incremental GUI wherein GUI pages for new pipe components can be added incrementally without changing existing code" (See Fig. 1 and [0004] where database server internal functions or packages are used to derive raw data to support a scalable solution in which new GUIs during database schema changes, without the need of additional programming effort).

As per claim 4, Blake teaches "The GUI of claim 3, wherein at least one new pipe module is based on a pre-existing module type" (See [0051]-[0052] where an HTML form is generated based on input module and type).

As per claim 5, Blake teaches "The GUI of claim 3, wherein at least one new pipe module is based on a new user-defined component type" (See [0055]-[0056] where new GUIs are created as user desires).

As per claim 6, Blake teaches "The GUI of claim 1, wherein the GUI defines a set of interfaces, each interface including plural functions, the GUI including a GUI representation part and a storage part, the GUI representation part defining how something is displayed and the storage part defining how GUI parameters are stored in

an external storage" (See [0015] where interface is generated to interface data storage layer for retrieving and formatting data).

Allowable Subject Matter

5. Claims 7, 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome if any rejections(s) under 35 U.S.C. § 101 and 35 U.S.C. § 112, and in independent form including all of the limitations of the base claim and any intervening claims.

References

6.1. The prior art made of record

G. U.S. Patent Application Publication 2004/0103073

6.2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. U.S. Patent No. 6,760,888

B. U.S. Patent No. 7,266,766

C. U.S. Patent Application 2004/0117427

D. U.S. Patent Application 2004/0015852

E. U.S. Patent No. 7,224,373

F. U.S. Patent Application 2004/0015832

Contact Information

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kuen S. Lu whose telephone number is (571)-272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm).

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If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, John Cottingham can be reached on (571)-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KUEN S. LU,

Art Unit 2167

Primary Patent Examiner

April 28, 2008

/Kuen S Lu/

Primary Examiner, Art Unit 2167